



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

OCT 22 2013

**CERTIFIED MAIL**

7009 1680 0000 7661 8915

THE ATTENTION OF:  
W-16J

**RETURN RECEIPT REQUESTED**

Roger Kult, FOIA Coordinator  
U.S. Department of Agriculture – Natural Resources  
Conservation Agency  
6013 Lakeside Boulevard  
Indianapolis, Indiana 46278

Re: FOIA request for records pertaining to Maloney Ditch and Blue Lake Campground,  
Whitley County, Indiana

Dear Mr. Kult:

The U.S. Environmental Protection Agency (EPA) requests all records and documentation, including all types of photography, your Whitley County or State Office maintains with regard to the Maloney Ditch (drains to Blue Lake) and the Blue Lake Campground. Our staff has been in contact with Ms. Amy Lybarger, District Conservationist, in your Whitley County office to discuss what aerial photography is available to cover the Blue Lake Campground at 5453 Blue Lake Road, Churubusco, Indiana. Ms. Lybarger also revealed that she and others had been to the Blue Lake Campground property for observations of Maloney Ditch and had taken photographs of fill piles next to a lakeside wetland that was in the process of being filled (see attached emails).

EPA believes it is exempt from FOIA fees as a Non-commercial Scientific Organization and requests a fee waiver based on that status.

If you have any questions regarding this request, please contact Mr. Greg Carlson, Life Scientist, at 312/886-0124. Thank you for your assistance.

Sincerely,

Wendy Melgin, Deputy Branch Chief  
Watershed and Wetlands Branch  
U.S. EPA – Region 5

Enclosures: Two emails

## Carlson, Greg

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**From:** Lybarger, Amy - NRCS, Columbia City, IN [Amy.Lybarger@in.usda.gov]  
**Sent:** Monday, July 22, 2013 3:48 PM  
**To:** Carlson, Greg  
**Subject:** Blue Lake wetland site  
**Attachments:** 2010 database.pdf; Blue Lake Campground.jpg; WhitleyGIS\_Template1998 B&W.pdf; WhitleyGIS\_Template2003.pdf; WhitleyGIS\_Template2005 high res.pdf; WhitleyGIS\_Template2008.pdf.mxd; WhitleyGIS\_Template2012.pdf; WhitleyGIS\_TemplateBestAvail2005-11.pdf

Hi Greg,

Approximately 6 -8 years ago ,Indiana NRCS inherited all of the aerial photography from FSA. I have all of the slides and all of the old 3x3 flat maps. FSA no longer needed that data due to their system going GIS and NRCS now use it for completing ag wetland determinations, ground proofing and companies doing EIS. Apparently the last year that slides were apparently flown in Whitley County must have been in 2002, due to the fact that is the last year of slide data. I have all of the slides from that time and older. There are a couple years here and there that must not have been flown due to us not having any slide records. The newest slides that I have are 2002, then we go back to 98-96 and so forth. The wetland violation I was aware of is located in Smith Section 10 T32N R10E. I also have access to aerial photography through our planning program called Toolkit. I will send you pictures with the dates from this database so you can see the area. Let me know what years of slides and maps you would like for us to pull and when you will be hear. I will have everything ready for you. In addition, if you need an area to meet, we have a nice conference room that would fit your needs. Please let me know if there is anything else I can help you with. Thanks.

Amy Lybarger, District Conservationist  
USDA-NRCS  
Whitley County  
788 Connexion Way Suite C  
Columbia City, IN. 46725  
(260) 244-6266 x 108

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## **Carlson, Greg**

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**From:** Carlson, Greg  
**Sent:** Monday, July 22, 2013 3:09 PM  
**To:** 'Matthews, Scott A LRL'  
**Cc:** MARTY MAUPIN  
**Subject:** RE: Blue Lake stuff in 2 emails given size limitations (UNCLASSIFIED)

Gentlemen: I'm heading to Columbia City on 7/25 to review aerial at USDA and to talk to the County Planner regarding their resources and whether they have an issue with filling in the 'Flood zone'. (though on second thought maybe Jon Eggen's IDNR group ought to check as well).

I also learned the USDA was on-site prior to IDEM / COE and they took many pics of 'fill piles' near lakeshore and somebody from that group apparently contacted either IDEM or COE or both.